

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY MEEKS,

Plaintiff,

v.

MICHIGAN DEPARTMENT
OF CORRECTIONS, et. al.,

CASE NO. 2:19-CV-12506
HONORABLE GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Defendants,

/

**OPINION AND ORDER AND ORDER DENYING
THE MOTION FOR RECONSIDERATION (ECF No. 12)**

Plaintiff Anthony Meeks filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. The complaint was dismissed without prejudice against defendants Michigan Department of Corrections, Heidi Washington, S. Campbell, Officer Monroe, and Sergeant Muhr. The Court transferred the remainder of the complaint to the United States District Court for the Western District of Michigan for further proceedings because venue for the remaining claims was not proper in the United States District Court for the Eastern District of Michigan. The case was transferred to the Western District of Michigan where a file has now been opened up under Case No. 1:20-cv-00839 (W.D. Mich.). Plaintiff filed objections to this Court's order of partial dismissal and transfer, which the Court construes as a motion for reconsideration. For the reasons that follow, the motion is DENIED.

U.S. Dist.Ct. Rules, E.D. Mich. 7.1 (g) allows a party to file a motion for reconsideration. However, a motion for reconsideration which presents the same issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *Ford Motor Co. v. Greatdomains.com, Inc.*, 177 F. Supp. 2d 628, 632 (E.D. Mich. 2001). A motion for reconsideration should be granted if the movant demonstrates a palpable defect by which the court and the parties have been misled and show that correcting the defect will lead to a different disposition of the case. See *DirecTV, Inc. v. Karpinsky*, 274 F. Supp. 2d 918, 921 (E.D. Mich. 2003).

In the present case, plaintiff has made a number of lengthy arguments in support of his motion for reconsideration. All of these arguments were considered by this Court, however, either expressly, or by reasonable implication, when the Court dismissed the claims against the defendants who were properly before this Court and transferred the remainder of the case to the Western District of Michigan.

Plaintiff's motion for reconsideration will therefore be denied, because plaintiff is merely presenting issues which were already ruled upon by this Court, either expressly or by reasonable implication, when the Court partially dismissed the complaint and transferred the remaining claims and defendants to the United

States District Court for the Western District of Michigan. *See Hence v. Smith*, 49 F. Supp. 2d 549, 553 (E.D. Mich. 1999).

ORDER

Based upon the foregoing, IT IS ORDERED that:

the motion for reconsideration (ECF No. 12) is **DENIED**.

Dated: October 6, 2020

s/George Caram Steeh
GEORGE CARAM STEEH
United States District Judge